

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IN RE U.S. VISION DATA BREACH
LITIGATION

Civ. Action No. 1:22-cv-06558
(CPO/SAK)

Motion Day: May 6, 2024

**PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION
SETTLEMENT, PRELIMINARY CERTIFICATION OF SETTLEMENT CLASS, AND
APPROVAL OF NOTICE PLAN**

Pursuant to Rule 23 of the Federal Rules of Civil Procedure, Plaintiffs Ian Torres, Bonita Odell, and Lacie Morgan (collectively, "Plaintiffs"), individually and on behalf of all others similarly situated, hereby move this Court for preliminary approval of a proposed class action settlement, preliminary certification of a settlement class, and approval of a notice plan. In support thereof, Plaintiffs rely upon the accompanying Memorandum in Support of Motion for Preliminary Approval of Class Action Settlement, Preliminary Certification of Settlement Class, and Approval of Notice Plan; the Declarations of Ben Barnow, Jean S. Martin, Terence R. Coates, and Cameron R. Azari; the records, pleadings, and papers filed in this action; and such other documentary and oral evidence or argument as may be presented to the Court at or prior to the hearing of this Motion. The Settlement does not include Defendants U.S. Vision, Inc., and USV Optical, Inc. (together, "USV") and no claims against USV are being settled or released. The Settlement is not intended to affect Plaintiffs' ongoing litigation against USV.

Dated: April 4, 2024

/s/Janine Pollack

Janine Pollack

GEORGE FELDMAN MCDONALD, PLLC

745 Fifth Avenue, Suite 500

New York, NY 10151

Tel.: 561-232-6002

jpollack@4-Justice.com

Local Counsel

Ben Barnow*

BARNOW AND ASSOCIATES, P.C.

205 West Randolph Street, Ste. 1630

Chicago, IL 60606

Tel: 312-621-2000

b.barnow@barnowlaw.com

Terence R. Coates*

MARKOVITS, STOCK & DEMARCO, LLC

119 E. Court Street, Suite 530

Cincinnati, OH 45202

Tel: 513-651-3700

tcoates@msdlegal.com

Jean S. Martin*

MORGAN & MORGAN

201 N. Franklin Street, 7th Floor

Tampa, Florida 33602

Tel: 813-559-4908

jeanmartin@forthepeople.com

Interim Co-Lead Class Counsel

*admitted pro hac vice

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above document was served upon all counsel of record via ECF electronic filing on April 4, 2024.

/s/Janine Pollack
Janine Pollack